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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

SMITH et al.

Atty. Ref.: 4398-16

Serial No. 09/584,751

Group: 2878

Filed: June 1, 2000

Examiner: Luu, Thanh X.

For: GAS FLOW MEASUREMENT DEVICE

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY  
AND EXCLUSIVE PROSECUTION HEREAFTER BY  
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

ResMed Limited, being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints the attorneys of **Customer Number 23117** individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent.

ResMed Limited also authorizes Nixon & Vanderhye to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

SMITH et al.  
Serial No. 09/584,751

**Certificate Under 37 C.F.R. §3.73(b)**

ResMed Limited, a corporation having a place of business at 97 Waterloo Road, North Ryde, New South Wales 2113, Australia, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of a chain of assignment from the inventors to the aforesaid assignee, a copy of the assignment chain being attached and/or a recorded on February 26, 2001 at Reel 011543/Frame 0974.

The undersigned (whose title is typed below) is empowered to sign this statement on behalf of ResMed Limited.

ResMed Limited

11 August 2003 By: Paul Green  
Date Name: Paul A. Green  
Title: Patents Officer